

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, MAY 12 19 81

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING May 12 A.D., 19 81,
IN Regular SESSION. PRESIDENT John Nuckols
IN THE CHAIR, AND Charles W. Westerman CLERK, AT THE DESK,
PRESENT THE FOLLOWING MEMBERS VIZ: *all*
BURNS ✓, EISBART ✓, GiaQUINTA ✓,
NUCKOLS ✓, SCHMIDT, D. ✓, SCHMIDT, V. ✓,
SCHOMBURG ✓, STIER ✓, TALARICO ✓,
ABSENT _____
COUNCILMAN _____, _____, _____,
_____, _____, _____,

THE INVOCATION WAS GIVEN BY Reverend Joseph Allision -
Park Forest Church of God

RECEIVED REPORT FROM THE CITY CONTROLLER FOR THE MONTH OF
_____, 19 _____. MOTION MADE AND CARRIED THAT REPORT BE MADE
A MATTER OF RECORD AND PLACED ON FILE.

THE MINUTES OF THE LAST REGULAR April 28, 19 81,
_____, 19 ____,
SPECIAL _____, 19 ____,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED
AND PUBLISHED.



The City of Fort Wayne

Office of the Mayor

April 30, 1981

To the Common Council
Fort Wayne, Indiana

MADE A MATTER OF RECORD
DATE 5-12-91 CHARLES W. WESTERMAN, CITY CLERK

Gentlemen and Mrs. Schmidt:

Today, April 30, 1981, I have approved the following ordinances passed by the Common Council at its regular meeting on April 28, 1981.

(Bill No. S-81-04-01)
SPECIAL ORDINANCE NO. S-102-81

AN ORDINANCE approving a certain bid document for air masks and air cylinders for the Fire Department

(Bill No. S-81-04-02)
SPECIAL ORDINANCE NO. S-103-81

AN ORDINANCE approving an Agreement to purchase Real Estate from Housing & Urban Development for Neighborhood Care, Inc.

(Bill No. S-81-04-04)
(as amended)
SPECIAL ORDINANCE NO. S-104-81

AN ORDINANCE authorizing the City of Fort Wayne to issue its "Economic Development Revenue Note (Ryder Truck Lines, Inc. Project)" and approving other actions in respect thereto

(Bill No. S-81-04-05)
SPECIAL ORDINANCE NO. S-105-81

AN ORDINANCE authorizing the sale and conveyance of title to certain real estate owned by the City in Baer Field Municipal Airport to Baer Field Building Corporation in connection with the Air Wisconsin Hangar/Office Building project



(Bill No. S-81-04-06)
SPECIAL ORDINANCE NO. S-106-81

AN EMERGENCY ORDINANCE establishing the position of Special Counsel to the Mayor

(Bill No. R-81-04-08)
RESOLUTION NO. R-33-81

A RESOLUTION finding, determining and ratifying an Inducement Resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of \$600,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant, Mark Douglas, Inc. to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-81-04-09)
RESOLUTION NO. R-34-81

A RESOLUTION finding, determining and ratifying an Inducement Resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of \$2,250,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant, Realamerica Homes, Inc. to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-81-04-10)
RESOLUTION NO. R-35-81

A RESOLUTION finding, determining and ratifying an Inducement Resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of \$3,000,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant, Fort Wayne Museum of Art, Inc. and Fort Wayne Fine Arts Foundation, Inc. to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-81-04-11)
RESOLUTION NO. R-36-81

A RESOLUTION finding, determining and ratifying an Inducement Resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of \$550,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant, The B.F. Goodrich Company to proceed with the acquisition, construction and equipping of the Project

(Bill No. G-81-03-50)
GENERAL ORDINANCE NO. G-06-81

AN ORDINANCE amending Section 18-24

(Bill No. G-81-04-13)
GENERAL ORDINANCE NO. G-07-81

AN ORDINANCE amending Section 19-9 of the Code of the City of Fort Wayne, Indiana of 1974 by delegating to the Board of Park Commissioners the power to determine license fees for vendors in Parks

(Bill No. S-81-04-15)
SPECIAL ORDINANCE NO. S-107-81

AN ORDINANCE approving a contract for Street Improvement Resolution NO. 5896-81 between the City of Fort Wayne, Indiana, and Rieth-Riley Construction Company, Inc. Contractor for street repairs

(Bill No. S-81-04-16)
SPECIAL ORDINANCE NO. S-108-81

AN ORDINANCE approving City Utilities Purchase Order No. A-007990 with American International Rent-A-Car for vehicles for Technical Services

(Bill No. S-81-04-17)
SPECIAL ORDINANCE NO. S-109-81

AN ORDINANCE approving Civil City Purchase Order No. 4-09480 with The Treaty Company for fire hydrants for the Water Maintenance and Service Department

(Bill No. S-81-04-18)
SPECIAL ORDINANCE NO. S-110-81

AN ORDINANCE approving City Utilities Purchase Order No. A-007989 with American International Rent-A-Car for lease of three sedans for the Water Pollution Control Engineering Department

(Bill No. S-81-04-19)
SPECIAL ORDINANCE NO. S-111-81

AN ORDINANCE approving City Utilities Purchase Order Nos. A-007991 and A-007992 with Midwest Video Company and Video Media Corporation, respectively, for video tape documentation

(Bill No. S-81-04-20)
SPECIAL ORDINANCE NO. S-112-81

AN ORDINANCE approving a contract for Street Lighting Improvement Resolution No. 150-81 between the City of Fort Wayne, Indiana and Biggs Electric Construction, Inc. for installation of street lights


(Bill No. S-81-04-21)
SPECIAL ORDINANCE NO. S-113-81

AN ORDINANCE approving a contract for Sewer Improvement Resolution No. 310-80 Phase I, between the City of Fort Wayne, Indiana and Rocco Ferrera and Company, Inc., Contractor for installation of a sanitary sewer

(Bill No. S-81-04-22)
SPECIAL ORDINANCE NO. S-114-81

AN ORDINANCE approving Addendum Number 2 in connection with the Combined Sewer Overflow for the City of Fort Wayne

Respectfully yours,


Will Moses, Jr.
Mayor



The City of Fort Wayne

Office of the Mayor

May 1, 1981

Common Council Members
Room 122, City Clerk's Office
City-County Building
Fort Wayne, Indiana 46802

Dear Members of Council:

Attached is a list of the current members of the Historic Preservation Review Board. As you know, these terms officially ended on May 1. I recommend that all members be reappointed to the Board.

Sincerely,

Win Moses, Jr.
Mayor

WM/ra

Encl. 1

DATE 5/12/81 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

DATE 5/12/81 MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

HISTORIC PRESERVATION REVIEW BOARD

Mr. Kenneth Waterman
2020 Forest Park Boulevard
Fort Wayne, Indiana 46805

Ms. Theresa Berghoff
432 Watkins Street
Fort Wayne, Indiana 46808

Mr. Ralph Violette
2008 Lawndale Drive
Fort Wayne, Indiana 46805

Mr. John O. Scheele
6116 Beaumont Drive
Fort Wayne, Indiana 46825

Ms. Ophelia Hamilton
324 E. Masterson Street
Fort Wayne, Indiana 46803

Mr. George D. Morrison
2515 Belfast Drive
Fort Wayne, Indiana

Ms. Deanna D. Meister
4404 Old Mill Road
Fort Wayne, Indiana 46807



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 May 1981

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

MADE A MATTER OF RECORD
DATE 5-12-81 CHARLES W. WESTERMAN, CITY CLERK

Gentlemen and Mrs. Schmidt:

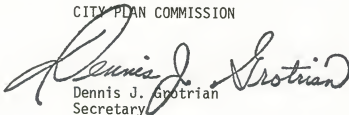
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-81-03-33

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
1st day of May 1981.


Dennis J. Grotian
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 May 1981

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held April 27, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-81-03-33
2. From R-2 & R-3 to R-1
3. Intended Use: Neighborhood Downzoning
4. Plan Commission Recommendation: DO PASS

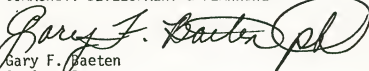
This ordinance received a DO PASS recommendation for the following reason:

- a. The rezoning of this area would help in maintaining the residential character of the neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 24, 1981 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-03-33; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 20, 1981;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

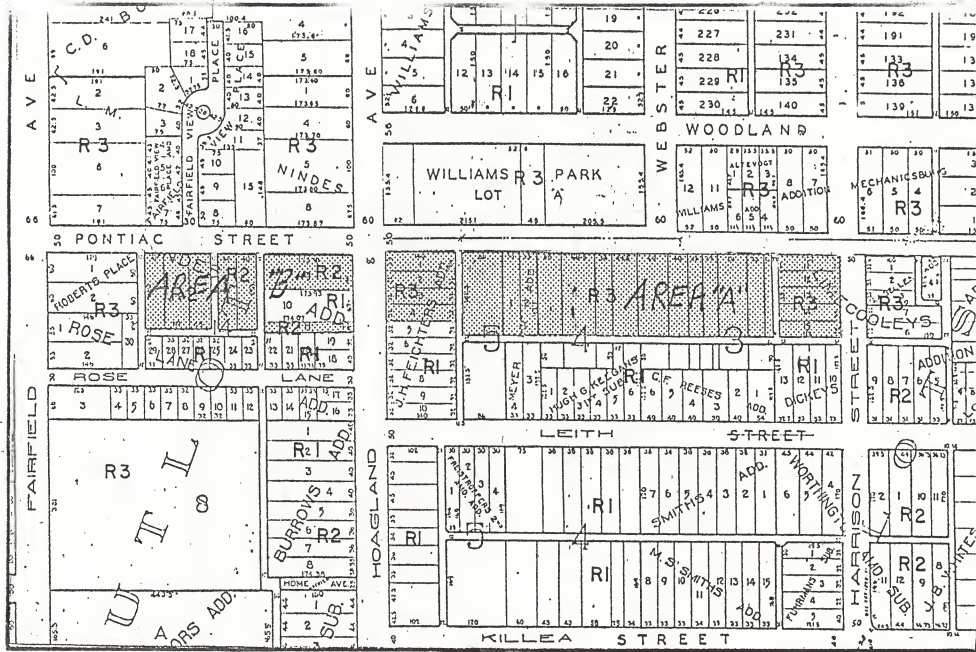
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 27, 1981.

Certified and signed this
1st day of May 1981.



Dennis J. Grotrian
Secretary



REQUEST TO REZONE FROM R2 & R3 TO R1 ZONING

Map No's L7 & M7, Z-81-03-33

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THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 May 1981

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

MAILED 5-11-81
DATE 5-11-81
CHARLES W. WESTERMAN, CITY CLERK

Gentlemen and Mrs. Schmidt:

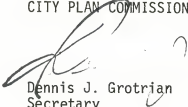
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-81-03-34 (AS AMENDED)

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
1st day of May 1981.


Dennis J. Grotrian
Secretary





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 May 1981

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held April 27, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-81-03-34 (AS AMENDED)
2. From RB to B-1-B
3. Intended Use: Unknown
4. Plan Commission Recommendation: DO PASS as Perfected

This ordinance received a DO PASS recommendation with the following Perfection and for the following reason:

PERFECTION: Lots 59, 61 & 62 in Home Gardens Addition be rezoned from RB to R-3 and Lots 65, 66, 67, 68, 71, 72, 73, 74, 77 and 78 in Home Gardens Addition to be rezoned from RB to B-1-B.

REASON: Rezoning Lots 59, 61 & 62 to an R-3 District will create a true buffer between the RB area to the north and the proposed B-1-B District.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Gary F. Baeten
Senior Planner

GFB:pb

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 24, 1981 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-03-34 (AS AMENDED) and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 20, 1981;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

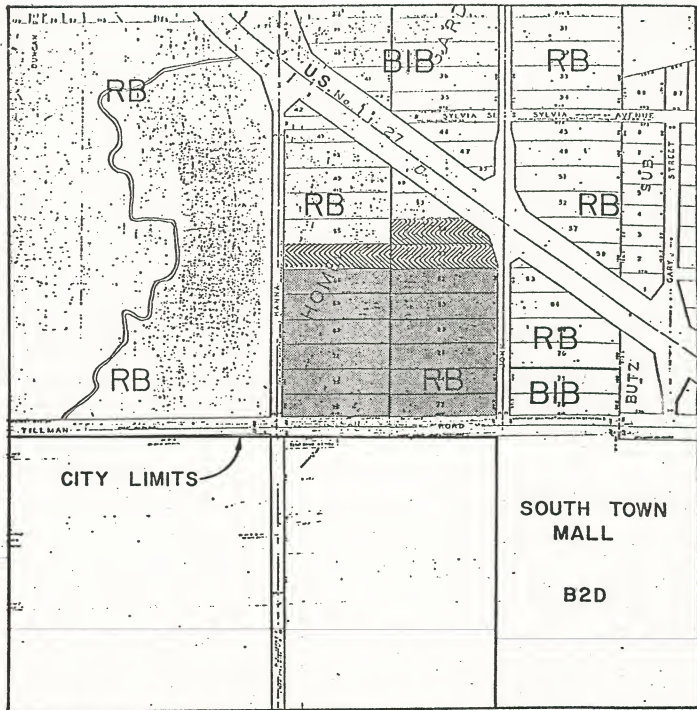
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 27, 1981.

Certified and signed this
1st day of May 1981.

A handwritten signature in dark ink, appearing to read "Dennis J. Grotrian", written in a cursive style.

Dennis J. Grotrian
Secretary



PERFECTION:



Reclassification from RB to R-3 District



Reclassification from RB to B-1-B District

BILL NO. Z-81-03-34 (AS AMENDED)

MAP NO. N-27

By: G.R. Lax (3-5-81)

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 21/81/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,

A handwritten signature in blue ink that reads "Nick Palermo". The signature is fluid and cursive, with the first name "Nick" and last name "Palermo" clearly distinguishable.

Nick Palermo, Chairman
Board of Public Safety

MADE A MATTER OF RECORD
DATE 5-12-81 CHARLES W. WESTERMAN, CITY CLERK

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 21/81/ D)

I hereby certify that I did this 6th day of May, 1981 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 21/81/ D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.


CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 21/81/D

(Adopted May 6, 1981)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter delegates to this Board authority to NO PARKING (DELEGATED), DELETE:
NO PARKING (DELEGATED)

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 5, 1981, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective

May 6, 1981, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (DELEGATED)

Harrison St. -- west side -- from Creighton Ave. to 65 ft. north thereof

DELETE:

NO PARKING (DELEGATED)

Harrison St. -- west side -- from Creighton Ave. to 100 ft. north thereof

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 22/81/E
23/81/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,



Nick Palermo, Chairman
Board of Public Safety

MADE A MATTER OF RECORD
DATE 5-12-81 CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 22/81/E
23/81/D)

I hereby certify that I did this 7th day of
May, 19 81 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 22/81/E
23/81/D of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.


CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 22/8YE

(Adopted May 7, 1981)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY) ,DELETE: TRAFFIC SIGNAL (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 6, 19 81, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

May 7, 19 81, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Wells St. -- stop -- for Superior St.

DELETE:

TRAFFIC SIGNAL (EMERGENCY)

Superior St. -- and -- Wells St.

REGULATORY RESOLUTION NO. 23/81/D

(Adopted May 7, 1981)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter delegates to this Board authority to NO PARKING (DELEGATED) AND
DELETE: NO PARKING (DELEGATED)

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 7, 19 81, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective

May 7, 19 81, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (DELEGATED)

Harrison St. -- west side -- from Fourth St. to 100' north thereof

DELETE:

NO PARKING (DELEGATED)

Harrison St. -- west side -- from Fourth St. to 50' north thereof

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 12th day of May, 19 81 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____.

Charles W. Westerman
City Clerk